



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Sensenbrenner Highlights PATRIOT Act Conference Report Civil Liberty Safeguard #16

WASHINGTON, D.C. – With the PATRIOT Act set to expire in two weeks unless the Senate approves the conference report, House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) today highlighted another one of the dozens of civil liberties safeguards included in the PATRIOT Act conference report approved last month by a bipartisan majority of the House and pending before the U.S. Senate.

PATRIOT Act Conference Report Civil Liberty Safeguard #16 – Requiring the Justice Department to Re-Certify that Nondisclosure of a National Security Letter (NSL) is Necessary:

The PATRIOT Act conference report explicitly allows an NSL recipient to challenge a nondisclosure requirement in U.S. district court. **If an NSL recipient challenges the prohibition on disclosure more than a year after the NSL is issued, the Justice Department must re-certify that nondisclosure is necessary, or else the nondisclosure requirement lapses.** This civil liberty safeguard contained in the conference report does not exist under current law.

Originally created by a Democrat-led Congress and signed into law by President Carter, NSLs are a long-standing tool by which the FBI and other appropriate federal law enforcement officials request, for sensitive foreign spying or international terrorism investigations, subscriber information and toll billing records of a wire or electronic communication service provider, such as a phone company or AOL.

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